

## CITY OF LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

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**P.A.S.:** County Final Plat #02027, Deer Trail

**DATE:** June 6, 2002

**PROPOSAL:** A final plat consisting of five lots.

**WAIVER REQUEST:** Waivers of street trees, street lighting, landscape screens, and sidewalks, street paving, block length and cul-de-sac length were approved in the preliminary plat/special permit.

**LAND AREA:** 82.67 acres, more or less.

**CONCLUSION:** This plat conforms to the approved preliminary plat/community unit plan and subdivision requirements. Some adjustments are required to meet the codes.

**RECOMMENDATION:**

Approval

### **GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** Lot 14 I.T., located in the SW1/4 of Section 24, and Lot 12 I.T. located in the NW of Section 25, all in T8N, R6E, in the 6th P.M., Lancaster County, Nebraska.

**LOCATION:** Highway 77/S.12th Street and Martell Road.

**APPLICANT:** Robert and Caryl Doolittle  
P.O. Box 5347  
Woodland, CO 80866  
(719) 684-1092

**OWNER:** Robert D. Doolittle and Caryl L. Doolittle  
Husband and Wife  
P.O. Box 5347  
Woodland, CO 80866

**CONTACT:** Brian D. Carstens and Associates  
601 Old Cheney Road, Suite C  
Lincoln, NE 68512  
(402) 434-2424

**EXISTING ZONING:** AG Agricultural with a special permit for a Community Unit Plan, in the Lancaster County Jurisdiction.

**EXISTING LAND USE:** Agriculture.

**SURROUNDING LAND USE AND ZONING:**

North: Agriculture, zoned AG

South: Agriculture and native prairie, zoned AG

East: Agriculture, zoned AG

West: State Hwy 77 and a private school, zoned AG

**HISTORY:** The preliminary plat and Community Unit Plan for Deer Trail were approved by the County Board on March 26, 2002. This was changed from AA Rural and Public Use to AG Agriculture in the 1979 zoning update.

**UTILITIES:** There is no public sewer available. This is in the Lancaster County Rural Water District #1. Individual well water is proposed.

**TRAFFIC ANALYSIS:** This is served by Highway 77/South 12<sup>th</sup> street, a four lane facility. Martell Road does not go through at this location. East west roads are Roca Road to the north and Hickman Road to the south.

**PUBLIC SERVICE:** This is in the Hickman Fire District (located five miles southeast), and the Norris School District. This is served by the Lancaster County Sheriff's Department.

**AESTHETIC CONSIDERATIONS:** N/A

**ALTERNATIVE USES:** Continued farming or 5 dwellings on 20 acre parcels .

**ANALYSIS:**

1. The Final Plat conforms to the approved preliminary plat and Community Unit Plan except for noted revisions.
2. The County Engineer's letter of May 29th notes no objections, subject to all improvements being completed prior to approval of the Final Plat.
3. Revisions and installation of improvements are required prior to scheduling to the County Board.

CONDITIONS:

1. Prior to scheduling this final plat onto the County Board's agenda:

1.1 The Final Plat Mylar shall have the following changes made to it:

1.1.1 Revise the Surveyor's Certificate to include;

1.1.1.1 I hereby certify that I have accurately surveyed the subdivision.

1.1.1.2 Permanent monuments have been placed at each of the final plat corners or the periphery of the subdivision, on the centerline at each street intersection and at each point of tangency and curvature.

1.1.1.3 Metal stakes have been placed at each lot corner and block corner.

1.1.1.4 All dimensions are chord measurements unless otherwise shown, and are in feet and decimals of a foot.

1.1.1.5 The surveyors address.

1.1.2 Revise the Dedication to remove "City of Lincoln, a municipal corporation",

1.1.3 Revise the survey as requested in the survey check.

1.1.4 Remove the Resolution No. from the Planning Commission Approval.

1.1.5 Provide a corrected Mylar signed in black opaque ink and six copies to the Planning Department.

1.2 All improvements must be in place and approved by the County Engineer.

2. The subdivider has signed an agreement that binds the subdivider, its successors and assigns:

2.1 To submit to the County Engineer an erosion control plan.

2.2 To protect the remaining trees on the site during construction and development.

2.3 To submit to lot buyers and home builders a copy of the soil analysis and ground water report.

2.4 To complete the private improvements shown on the preliminary plat.

2.5 To maintain the outlots and private improvements on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating in writing a permanent and continuous association of property

owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the document or documents creating said property owners association have been reviewed and approved by the County Attorney and filed of record with the Register of Deeds.

2.6 To relinquish the right of direct vehicular access to South 12<sup>th</sup> Street/Hwy 77 except for Deer Trail.

2.7 To comply with the provisions of the Land Subdivision Resolution regarding land preparation.

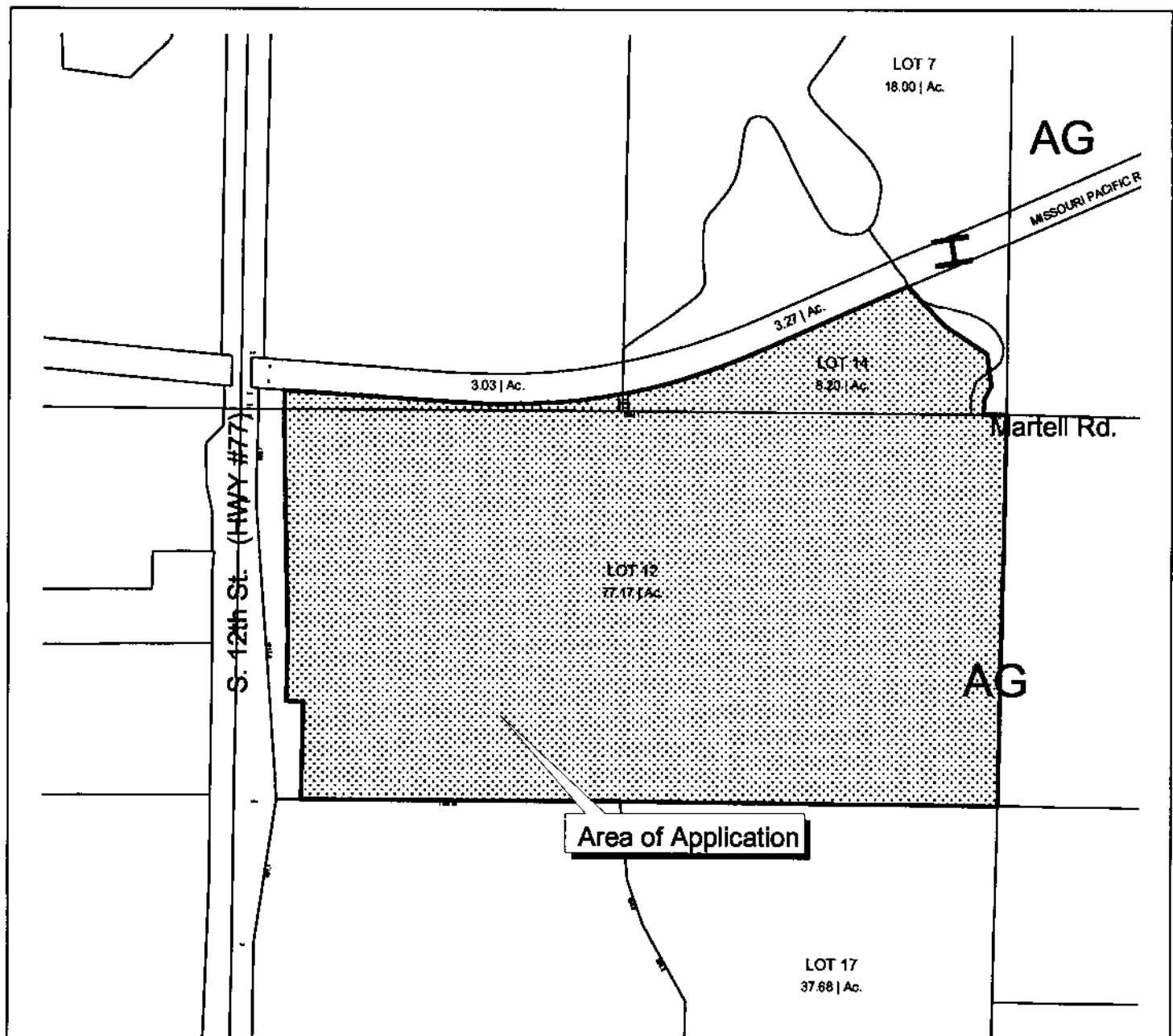
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Mike DeKalb, AICP  
Planner



**County Final Plat #02027  
Hwy 77 & Martell Rd.  
Deer Trail Addition**



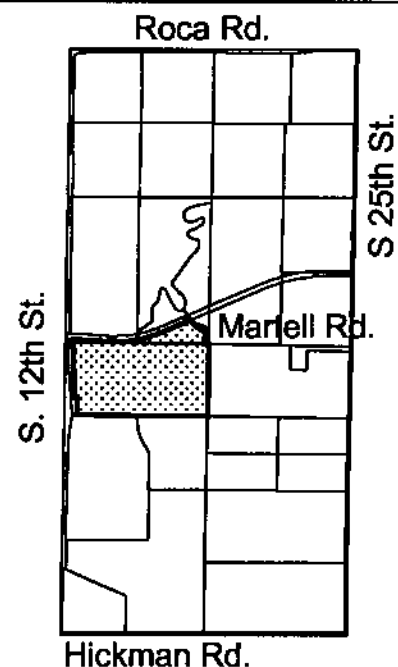
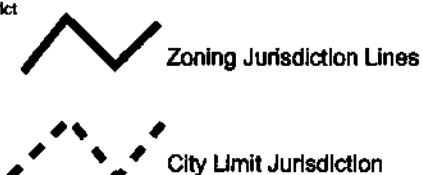


**County Final Plat #02027**  
**Hwy 77 & Martell Rd.**  
**Deer Trail Addition**

**Zoning:**

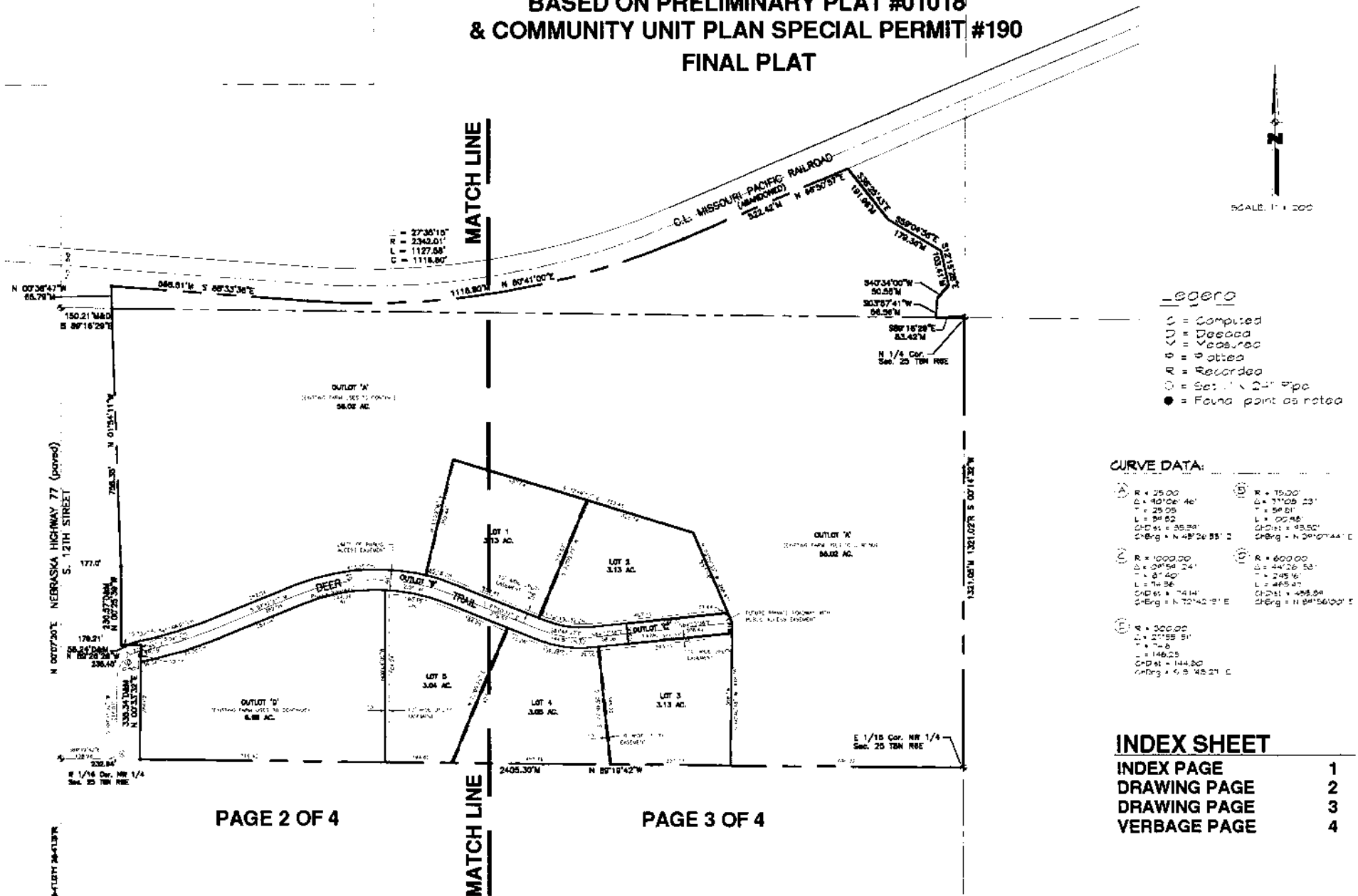
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile  
 Sec. 24 T8N R6E



# DEER TRAIL ADDITION

BASED ON PRELIMINARY PLAT #01018  
& COMMUNITY UNIT PLAN SPECIAL PERMIT #190  
FINAL PLAT



PAGE 2 OF 4

PAGE 3 OF 4

SCALE 1" = 60'

$$\begin{aligned}\Delta &= 27^{\circ}35'15'' \\ R &= 2342.01' \\ L &= 1127.58' \\ C &= 1116.80'\end{aligned}$$




**BASED ON PRELIMINARY PLAT #01018  
& COMMUNITY UNIT PLAN SPECIAL PERMIT #190  
FINAL PLAT**

**BASED ON PRELIMINARY PLAT #01018**

**& COMMUNITY UNIT PLAN SPECIAL PERMIT #190**

## FINAL PLAT

C.L. MISSOURI PACIFIC RAILROAD  
(ABANDONED)  
— — 522.42 M N 66°50'5"

N 80°41'00"E

$$\underline{S} \vdash A \text{--} E; \quad \text{if } \vdash \text{K} \times 2$$

S40°34'00  
50.55'M  
S03°57'41  
56.56'M

S89°16'29"E  
83.42'M

N 1/4 Cor.   
Sec. 25 T8N R6E

**PAGE 2 OF 4**

LOT 1  
13 AC.

LOT 2  
3.13 AC.

**OUTLOT 'A'**  
(EXISTING FARM USES TO CONTINUE)  
**58.02 AC.**

LOT 4  
3.05 AC.

LOT 3  
3.13 AC.

E 1/16 Cor. NW 1/4  
Sec. 25 T8N R6E

1321.05'M 1321.02'R S 00°14'32"W

3 of 4

# DEER TRAIL ADDITION

## BASED ON PRELIMINARY PLAT #01018

## & COMMUNITY UNIT PLAN SPECIAL PERMIT #190

### FINAL PLAT

#### SURVEYOR'S CERTIFICATE

A Survey of Lot 14 I.T., located in the Southwest Quarter of Section 24, and Lot 12 I.T., located in the Northwest Quarter of Section 25 Township 8 North Range 6 East of the Sixth Principal Meridian Lancaster County, Nebraska.

Commencing at the Northwest corner of Section 25 Township 8 North Range 6 East of the Sixth Principal Meridian, Lancaster County, Nebraska; Thence South 89°16'29" East, on the South line of the Northwest Quarter of Section 25 a distance of 130.21 feet, to the POINT OF BEGINNING; Thence North 00°38'47" West, on the West Right of Way of Hwy 77, and the East line of Lot 14 I.T., a distance of 85.78 feet to a point on the East Right of Way of Hwy 77, and the South Right of Way of the Missouri Pacific Railroad; Thence South 85°33'38" East, on the South line of said Railroad Right of Way, a distance of 568.81 feet to a point of curvature; Thence on a curve to the left (chord definition), having a central angle of 27°35'15", a radius of 2342.01 feet, a chord bearing of North 80°41'00" East, a chord distance of 1115.80 feet to the point of tangency; Thence North 86°50'57" East on said South Right of Way a distance of 322.42 feet, to a point on the South Right of Way of the Former Missouri Pacific Railroad; Thence South 36°25'43" East, a distance of 191.96 feet; Thence South 56°04'58" East a distance of 179.36 feet; Thence South 12°15'28" East a distance of 103.41 feet; Thence South 40°34'00" West, a distance of 50.55 feet; Thence South 03°57'41" West, a distance of 56.56 feet, to a point on the South line of the Southwest Quarter of Section 24; Thence South 89°16'29" East, on said South line, a distance of 83.42 feet, to the North 1/4 Corner of Section 25; Thence South 00°14'32" West, on the East line of the Northwest Quarter of Section 25 a distance of 1321.05 feet, to the East 1/16 Corner of the Northwest Quarter; Thence North 89°19'42" West on the South line of the North one half of the Northwest Quarter a distance of 2405.30 feet, to a point 232.94 feet East of the West 1/16 Corner of the Northwest Quarter; Thence North 00°33'32" East, on the East Right of Way of Hwy 77 a distance of 335.34 feet; Thence North 89°26'28" West on said Right of Way, a distance of 56.24 feet; Thence North 07°25'39" West on said East Right of Way, a distance of 230.57; Thence North 01°54'11" West, on said Right of Way, a distance of 758.35 feet, to the POINT OF BEGINNING, and containing a calculated area of 3,801,213.53 Square feet or 82.57 acres more or less.

I Hereby Certify that this Boundary Survey was made under my supervision and that I am a Licensed Land Surveyor under the Laws of the State of Nebraska.

DATE \_\_\_\_\_ DEREK A. BEENBLOSSOM L.S. #570

#### COUNTY BOARD APPROVAL

The foregoing plat and dedication was approved and accepted by the Lancaster County Board of Commissioners by Resolution No. \_\_\_\_\_ passed on the \_\_\_\_\_ day of \_\_\_\_\_.

County Clerk \_\_\_\_\_

#### PLANNING COMMISSION APPROVAL

The Lincoln City-Lancaster County Planning Commission has approved the foregoing final plat on this \_\_\_\_\_ day of \_\_\_\_\_ by Resolution No. \_\_\_\_\_.

ATTEST: \_\_\_\_\_  
Chair

#### DEDICATION

The foregoing plat known as "DEER TRAIL ADDITION", and as described in the Surveyor's Certificate is made with the free consent and in accordance with the desires of the undersigned, sole owners, and the easements shown thereon are hereby granted in perpetuity to City of Lincoln, a municipal corporation and Lancaster County, Nebraska, Airtel, Time Warner Entertainment - Advance/Newhouse, Aquila, Norrie Public Power, their successors and assigns, to allow entry for the purposes of construction, reconstruction, replacement, repair, operation and maintenance of wires, cables, conduits, fixtures, poles, towers, pipes and equipment for the distribution of electricity and gas, telephone and cable television; wastewater collectors; storm drains; water mains and all appurtenances thereto, over, upon or under the easements as shown on the foregoing plat.

The construction or location of any building or structure, excluding fences, over, upon or under an easement shown thereon shall be prohibited.

The construction or location of any fence or other improvement which obstructs drainage shall be prohibited over, upon, or under any storm drain easement or drainage easement shown thereon.

City of Lincoln, a municipal corporation, and Lancaster County, its successors or assigns are hereby held harmless for the cost of replacement or damage to any improvement or vegetation over, upon or under any easement shown thereon.

Direct vehicular access to U.S. Highway 77 is hereby relinquished except at Deer Trail (Outlet 'B').

Public Access Easement is hereby dedicated along Deer Trail (Private Roadway).

WITNESS OUR HANDS THIS \_\_\_\_\_ day of \_\_\_\_\_.

Robert D. Doolittle, Husband, Joint Tenant Caryl L. Doolittle, Wife, Joint Tenant

#### ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ }  
COUNTY \_\_\_\_\_ } SS

On this \_\_\_\_\_ day of \_\_\_\_\_, before me, the undersigned, a notary public, duly commissioned, qualified for and residing in said county, personally came Robert D. Doolittle, Husband, Joint Tenant, to me personally known to be the identical person whose name is affixed to the dedication of the foregoing plat and he acknowledged the same to be his voluntary act and deed.

NOTARY PUBLIC

My commission expires this \_\_\_\_\_ day of \_\_\_\_\_.

#### ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ }  
COUNTY \_\_\_\_\_ } SS

On this \_\_\_\_\_ day of \_\_\_\_\_, before me, the undersigned, a notary public, duly commissioned, qualified for and residing in said county, personally came Caryl L. Doolittle, Wife, Joint Tenant, to me personally known to be the identical person whose name is affixed to the dedication of the foregoing plat and he acknowledged the same to be his voluntary act and deed.

NOTARY PUBLIC

My commission expires the \_\_\_\_\_ day of \_\_\_\_\_.

#### LIEN HOLDER CONSENT AND SUBORDINATION

The undersigned, holder of that certain lien against real property described in the plat known as "DEER TRAIL ADDITION", said lien being recorded in the Office of Registrar of Deeds of Lancaster County, Nebraska, as Instrument Number 2002-025349 & 98-007662, does hereby consent to the dedication of and subordinate the Lien to any utility (sewer, water, electric cable TV, telephone, natural gas) easements, or streets, or roads, pedestrian way easements, and access easements and relinquishments of access, dedicated to the public, all as shown on the public, all as shown on the Plat, but not otherwise. The undersigned confirms that it is the holder of the Lien and has not assigned the Lien to any other person.

First State Bank

Beneficiary

By \_\_\_\_\_ Title \_\_\_\_\_

#### ACKNOWLEDGMENT

STATE OF NEBRASKA }  
LANCASTER COUNTY } SS

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, by \_\_\_\_\_ Name \_\_\_\_\_ on behalf of said First State Bank.

NOTARY PUBLIC

My commission expires the \_\_\_\_\_ day of \_\_\_\_\_.

#### LIEN HOLDER CONSENT AND SUBORDINATION

The undersigned, holder of that certain lien against real property described in the plat known as "DEER TRAIL ADDITION", said lien being recorded in the Office of Registrar of Deeds of Lancaster County, Nebraska, as Instrument Number 94-14579, does hereby consent to the dedication of and subordinate the Lien to any utility (sewer, water, electric cable TV, telephone, natural gas) easements, or streets, or roads, pedestrian way easements, and access easements and relinquishments of access, dedicated to the public, all as shown on the public, all as shown on the Plat, but not otherwise. The undersigned confirms that it is the holder of the Lien and has not assigned the Lien to any other person.

By \_\_\_\_\_  
David D. Zwart, Trustee

#### ACKNOWLEDGMENT

STATE OF NEBRASKA }  
LANCASTER COUNTY } SS

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, by David D. Zwart.

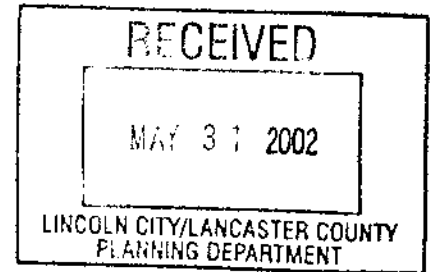
NOTARY PUBLIC

My commission expires the \_\_\_\_\_ day of \_\_\_\_\_.



AREA 2  
SERVICE CENTER

R.R. 1 BOX 56  
ROCA, NEBRASKA 68430  
402/423-3855  
FAX 402/423-8090



May 29, 2002

Mike Dekalb, Project Planner  
555 South 10<sup>th</sup> St.  
Lincoln, NE 68508

Re: Deer Trail Addition

Dear Mike,

I have reviewed the subject plat and see easements are in place as requested.

Thanks for your cooperation.

Sincerely,

Rick Volmer, Construction Superintendent Area 2



Lancaster


County

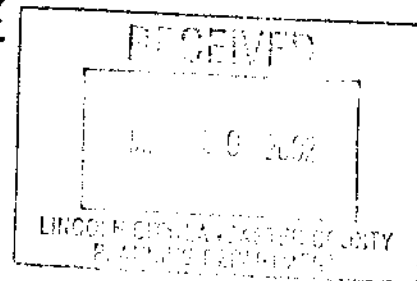
Engineering

Department

DON R. THOMAS - COUNTY ENGINEER

DEPUTY - LARRY V. WORRELL  
COUNTY SURVEYOR

**DATE:** May 29, 2002  
**TO:** Mike DeKalb  
Planning Department  
**FROM:** Larry V. Worrell   
County Surveyor  
**SUBJECT:** DEER TRAIL ADDITION



Upon review, this office has no objections to this submittal, subject to all improvements being completed prior to approval of the Final Plat.

LVW/cm  
SUBDIV.WK/Deer Trail Addition.Mem

SW D-16-S  
4-8-6  
NW  
25-8-6  
D-17-S

Deer Trail Addition

PROJECT NAME

FP 02027

NUMBER

5-24-02

DATE

FINAL PLAT

(12 COPIES minimum)

PLAT  
LETTER

DISTRIBUTION



City Engineer's Office		
Public Works - Survey Check - Bernie Blum	X	X
L.E.S. - Theobald (3) - NORRIS	X	X
L.E.S. - Hennessy		
Alltel Communications - Al Schroeder-401 S. 21 <sup>st</sup> St.	X	X
Parks & Recreation- Canney	X	X
Building & Safety (where existing buildings)		
County Engineer (County plats only)	X	X
Post Office - Ron White	X	X
Duncan Ross- Antelope Valley Project		
Ray Hill	X	X
Planner/Pre Plat:		

Please review the attached plans and return your comments to me by

6-5-02

(10 days from submittal)

Please review this application relative to the minimum improvements which your department has responsibility, and please provide the surety amount for those improvements.

Mike DeKalb

PROJECT PLANNER

If you have any questions, need additional information or cannot meet the deadline, please let me know.  
Phone # 441-7491 FAX # 441-6377

MAY 29, 2002 BLB - ROUNDING ERROR

- ARC LENGTH FOR CURVE ALONG NORTH  
SIDE OF PLAT.